

IN THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY, MARYLAND

PAUL BRUCE, Individually and *
as Personal Representative of the
Estate of PATRICIA BRUCE *
118 Lake Shore Drive
Pasadena, Maryland 21122 * CASE NO.:

LESLIE BROWN *
118 Lake Shore Drive *
Pasadena, Maryland 21122 *

BRYAN BRUCE *
118 Lake Shore Drive *
Pasadena, Maryland 21122 *

TO THE USE OF LAURA BRUCE *
118 Lake Shore Drive *
Pasadena, Maryland 21122 *

Plaintiffs *

v. *

J.B. POINDEXTER & CO., INC. *
1100 Louisiana, Suite 5400 *
Houston, Texas 77002 *

s/o RESIDENT AGENT *
CORPORATION SERVICE *
COMPANY d/b/a CSC *
LAWYERS INCORPORATING *
SERVICE COMPANY *
600 Travis, Suite 200 *
Houston, Texas 77002 *

TRUCK ACCESSORIES GROUP, LLC *
28858 Ventura Drive *
Elkhart, Indiana 46517 *

s/o RESIDENT AGENT *
CORPORATION SERVICE
COMPANY
135 North Pennsylvania Street, *
Suite 1610
Indianapolis, Indiana 46204 *

WAYPOINT LOGISTICS, LLC *
58288 Ventura Drive
Elkhart, Indiana 46517 *

s/o RESIDENT AGENT *
CORPORATION SERVICE
COMPANY *
135 North Pennsylvania Street,
Suite 1610 *
Indianapolis, Indiana 46204 *

STATE WIDE ALUMINUM, INC.
d/b/a STATE WIDE WINDOWS, INC. *
23601 C.R. 6 East, P.O. Box 987
Elkhart, Indiana 46515 *

s/o RESIDENT AGENT *
CORPORATION SERVICE
COMPANY *
135 North Pennsylvania Street,
Suite 1610 *
Indianapolis, Indiana 46204 *

CENTURY TRUCK & TRAILER
SALES, INC. *
4111 Meyer Road
Fort Wayne, Indiana 46806 *

s/o RESIDENT AGENT *
ROBERT M. HUGHES
4111 Meyer Road *
Fort Wayne, Indiana 46806 *

LEER *
12 N. Industrial Park Road *
Milton, Pennsylvania 17847 *

s/o RESIDENT AGENT *
CORPORATION SERVICE *
COMPANY *
135 North Pennsylvania Street, *
Suite 1610 *
Indianapolis, Indiana 46204 *

SNUGTOP *
1711 Harbor Ave. *
Long Beach, CA 90813 *

s/o RESIDENT AGENT *
CORPORATION SERVICE *
COMPANY *
135 North Pennsylvania Street, *
Suite 1610 *
Indianapolis, Indiana 46204 *

PACE EDWARDS COMPANY *
2400 Commercial Blvd. *
Centralia WA 98531 *

s/o RESIDENT AGENT *
CORPORATION SERVICE *
COMPANY *
135 North Pennsylvania Street, *
Suite 1610 *
Indianapolis, Indiana 46204 *

RAIDER INDUSTRIES *
58288 Ventura Drive *
Elkhart, Indiana 46517 *

s/o RESIDENT AGENT *
CORPORATION SERVICE *
COMPANY *
135 North Pennsylvania Street, *

Suite 1610
Indianapolis, Indiana 46204 *

RONNIE KIETH LEHMAN *
44 Stanton Avenue
Milton, Pennsylvania 17847 *

Defendants *

COMPLAINT

Plaintiffs, the Estate of Patricia Bruce, by and through Paul Bruce, Individually and as Personal Representative, Leslie Brown and Bryan Brown, surviving children of Decedent Patricia Bruce, by and through their attorneys, Deborah L. Potter, Andrew T. Burnett, and Potter Burnett Law, LLC, bring suit against Defendants, Ronnie Kieth Lehman (hereinafter "Defendant Lehman"), J.B. Poindexter & Co., Inc., Truck Accessories Group, LLC, Waypoint Logistics, LLC, State Wide Aluminum, Inc., d/b/a State Wide Windows, Inc., Century Truck and Trailer Sales, Inc., Leer, SnugTop, Pace Edwards Company, and Raider Industries, and states as follows:

INTRODUCTION

1. Jurisdiction of this Court is founded upon the fact that the collision took place on Interstate 97 in Anne Arundel County, Maryland.
2. The Estate of Patricia Bruce was opened with the Anne Arundel County Registrar of Wills, Estate No. 86307.

POTTER BURNETT LAW
16701 MELFORD BLVD
SUITE 321
BOWIE, MD 20715
301.850.7000

3. The claim for Plaintiff, The Estate of Patricia Bruce, has been brought by the Decedent's husband and Personal Representative of the Estate, Paul Bruce, pursuant to §7-401 of the Estates and Trusts Article.

4. Plaintiff, Paul Bruce, is the husband of the Decedent, Patricia Bruce, and is a resident of Pasadena, Maryland.

5. Plaintiff, Leslie Brown, is the daughter of the Decedent, Patricia Bruce, and is a resident of Pasadena, Maryland.

6. Plaintiff, Bryan Bruce, is the son of the Decedent, Patricia Bruce, and is a resident of Pasadena, Maryland.

7. Plaintiff, Laura Bruce, is the daughter of the Decedent, Patricia Bruce, and is a resident of Pasadena, Maryland.

8. Upon information and belief, Defendant Ronnie Lehman is a resident of Milton, PA, and was driving the tractor trailer involved in this collision.

9. Upon information and belief, Defendant J.B. Poindexter & Co., Inc. is a corporation that regularly conducts business in the State of Maryland.

10. Upon information and belief, Defendant Truck Accessories Group, LLC is a limited liability company that regularly conducts business in the State of Maryland.

11. Upon information and belief, Defendant Waypoint Logistics, LLC. is a limited liability company that regularly conducts business in the State of Maryland.

12. Upon information and belief, Defendant State Wide Aluminum, Inc., d/b/a State Wide Windows Inc. is a corporation that regularly conducts business in the State of Maryland.

13. Upon information and belief, Defendant Century Truck & Trailer Sales, Inc. is a corporation that regularly conducts business in the State of Maryland.

14. Upon information and belief, Defendant Leer is a company that regularly conducts business in the State of Maryland.

15. Upon information and belief, Defendant SnugTop is a company that regularly conducts business in the State of Maryland.

16. Upon information and belief, Defendant Pace Edwards Company is a company that regularly conducts business in the State of Maryland.

17. Upon information and belief, Defendant Raider Industries is a company that regularly conducts business in the State of Maryland.

STATEMENT OF FACTS

The Plaintiffs incorporate paragraphs 1-17 above and further state as follows:

18. On or about June 12, 2014, the Decedent, Patricia Bruce, lawfully stopped her vehicle on the shoulder of Interstate 97 near the Wellham Avenue overpass in Anne Arundel County, Maryland. Ms. Bruce exited her vehicle.

19. At the same time and place, Defendant Lehman was operating a 2014 Freightliner tractor trailer truck, owned by Defendant Waypoint Logistics, LLC., and pulling a 2001 Fontain Trailer (#134), owned by Truck Accessories Group, LLC.

20. Defendant Lehman negligently failed to keep a proper lookout, negligently failed to keep proper control of his vehicle, negligently failed to stay in his lane, negligently left his lane of travel when unsafe to do so, negligently failed to control the speed of his vehicle to avoid a collision, negligently failed to control the vehicle he was operating, negligently failed to properly load the trailer, and was otherwise careless and negligent in the operation of his vehicle thereby striking Ms. Bruce's head and body causing fatal injuries.

21. The Decedent, Patricia Bruce, was taken by ambulance to The University of Maryland Shock Trauma Center, and was pronounced dead at approximately 1:43 a.m. on June 13, 2014.

22. The Decedent, Patricia Bruce, at the time of her death, was survived by her husband, Paul Bruce, and her children, Leslie Brown, Bryan Bruce, and Laura Bruce.

COUNT I – WRONGFUL DEATH

The Plaintiffs incorporate paragraphs 1-22 above and further state as follows:

23. The negligence of the Defendant, Ronnie Lehman individually, and who was acting at all times relevant herein as the agent, servant, and/or employee of

J.B. Poindexter & Co., Inc., Truck Accessories Group, LLC, Waypoint Logistics, LLC, State Wide Aluminum, Inc., d/b/a State Wide Windows, Inc., Century Truck and Trailer Sales, Inc., Leer, SnugTop, Pace Edwards Company, and Raider Industries, was the proximate cause of the collision in that Defendant negligently failed to keep a proper lookout, negligently failed to keep proper control of his vehicle, negligently failed to stay in his lane, negligently left his lane of travel when unsafe to do so, negligently failed to control the speed of his vehicle to avoid a collision, negligently failed to control the vehicle he was operating, negligently failed to properly load the trailer, and was otherwise careless and negligent in the operation of his vehicle.

24. As a direct and proximate result of Defendants' negligence in causing the death of Decedent Patricia Bruce, Plaintiffs Paul Bruce, Leslie Brown, and Bryan Brown, have sustained economic damages and loss, mental anguish, emotional pain and suffering, loss of society, companionship, comfort, protection, parental care, advice, counsel, training, guidance, and education.

WHEREFORE, Plaintiffs, Paul Bruce, husband of Patricia Bruce, Leslie Brown, and Bryan Brown, surviving children of Decedent Patricia Bruce, demand judgment against the Defendants for their wrongful death claims, jointly and severally, in excess of Seventy-Five Thousand Dollars (\$75,000.00) in economic and non-economic damages, plus costs, pre-judgment interest and post-judgment interest.

COUNT II – SURVIVAL ACTION

The Plaintiff, Paul Bruce, as Personal Representative of the Estate of Patricia Bruce, incorporates paragraphs 1-24 above and further states as follows:

25. The negligence of the Defendant, Ronnie Lehman individually, and who was acting at all times relevant herein as the agent, servant, and/or employee of J.B. Poindexter & Co., Inc., Truck Accessories Group, LLC, Waypoint Logistics, LLC, State Wide Aluminum, Inc., d/b/a State Wide Windows, Inc., Century Truck and Trailer Sales, Inc., Leer, SnugTop, Pace Edwards Company, and Raider Industries, was the proximate cause of the collision in that Defendant negligently failed to keep a proper lookout, negligently failed to keep proper control of his vehicle, negligently failed to stay in his lane, negligently left his lane of travel when unsafe to do so, negligently failed to control the speed of his vehicle to avoid a collision, negligently failed to control the vehicle he was operating, negligently failed to properly load the trailer, and was otherwise careless and negligent in the operation of his vehicle.

26. As a direct and proximate result of Defendant Lehman's negligence, Patricia Bruce suffered pre-impact fright, post-impact pain and suffering, medical bills and funeral expenses.

WHEREFORE, Plaintiff, The Estate of Patricia Bruce demands judgment against the Defendants, jointly and severally, in excess of Seventy-Five Thousand Dollars (\$75,000.00) in economic and non-economic damages, plus costs, pre-judgment interest and post-judgment interest.

COUNT III – NEGLIGENT ENTRUSTMENT

The Plaintiffs incorporate paragraphs 1-26 above and further state as follows:

27. At the time and place of this collision, the Defendant, Ronnie Lehman, was acting as the agent, servant and/or employee of Defendant, J.B. Poindexter & Co., Inc., Truck Accessories Group, LLC, Waypoint Logistics, LLC, State Wide Aluminum, Inc., d/b/a State Wide Windows, Inc., Century Truck and Trailer Sales, Inc., Leer, SnugTop, Pace Edwards Company, and Raider Industries. Despite the knowledge which J.B. Poindexter & Co., Inc., Truck Accessories Group, LLC, Waypoint Logistics, LLC, State Wide Aluminum, Inc., d/b/a State Wide Windows, Inc., Century Truck and Trailer Sales, Inc., Leer, SnugTop, Pace Edwards Company, and Raider Industries had or should have had, the tractor trailer and accompanying load was still entrusted to Ronnie Lehman, and J.B. Poindexter & Co., Inc., Truck Accessories Group, LLC, Waypoint Logistics, LLC, State Wide Aluminum, Inc., d/b/a State Wide Windows, Inc., Century Truck and Trailer Sales, Inc., Leer, SnugTop, Pace Edwards Company, and Raider Industries further negligently failed to properly supervise Defendant Lehman during the loading, securing of the load, and use of the vehicle.

28. As a result of the negligence of Defendants J.B. Poindexter & Co., Inc., Truck Accessories Group, LLC, Waypoint Logistics, LLC, State Wide Aluminum, Inc., d/b/a State Wide Windows, Inc., Century Truck and Trailer Sales, Inc., Leer, SnugTop, Pace Edwards Company, Raider Industries and Ronnie Lehman, who was acting at all times relevant herein as the agent, servant, and/or employee of

Defendants J.B. Poindexter & Co., Inc., Truck Accessories Group, LLC, Waypoint Logistics, LLC, State Wide Aluminum, Inc., d/b/a State Wide Windows, Inc., Century Truck and Trailer Sales, Inc., Leer, SnugTop, Pace Edwards Company, and Raider Industries, Decedent Patricia Bruce suffered fatal bodily injuries.

29. Decedent Patricia Bruce was a member of a foreseeable class of persons who would be at risk of suffering physical harm as a result of Defendant Lehman's operation of a 2014 Freightliner tractor trailer truck.

WHEREFORE, the Plaintiffs demand judgment against Defendants J.B. Poindexter & Co., Inc., Truck Accessories Group, LLC, Waypoint Logistics, LLC, State Wide Aluminum, Inc., d/b/a State Wide Windows, Inc., Century Truck and Trailer Sales, Inc., Leer, SnugTop, Pace Edwards Company, and Raider Industries, in excess of Seventy-Five Thousand Dollars (\$75,000.00), plus costs, pre-judgment interest and post-judgment interest.

COUNT IV – NEGLIGENT HIRING, SUPERVISION, AND RETENTION

The Plaintiffs incorporate paragraphs 1-29 above and further state as follows:

30. Defendants, J.B. Poindexter & Co., Inc., Truck Accessories Group, LLC, Waypoint Logistics, LLC, State Wide Aluminum, Inc., d/b/a State Wide Windows, Inc., Century Truck and Trailer Sales, Inc., Leer, SnugTop, Pace Edwards Company, and Raider Industries, had a duty to use reasonable care to

select an employee who was competent and fit to perform the duties required as an employee.

31. Defendants, J.B. Poindexter & Co., Inc., Truck Accessories Group, LLC, Waypoint Logistics, LLC, State Wide Aluminum, Inc., d/b/a State Wide Windows, Inc., Century Truck and Trailer Sales, Inc., Leer, SnugTop, Pace Edwards Company, and Raider Industries, knew, or should have known, that Defendant Lehman was not competent or fit for the duties required of him as an employee, and that Defendant Lehman would be likely to operate a tractor trailer in a negligent and reckless manner.

32. As a result of Defendants negligence in hiring and retaining Defendant Lehman, the Plaintiffs suffered the aforementioned injuries.

WHEREFORE, the Plaintiffs demand judgment against Defendants J.B. Poindexter & Co., Inc., Truck Accessories Group, LLC, Waypoint Logistics, LLC, State Wide Aluminum, Inc., d/b/a State Wide Windows, Inc., Century Truck and Trailer Sales, Inc., Leer, SnugTop, Pace Edwards Company, and Raider Industries, in excess of Seventy-Five Thousand Dollars (\$75,000.00), plus costs, pre-judgment interest and post-judgment interest.

Respectfully Submitted,



Deborah L. Potter
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